

Public Notice of Application for Permit

Regulatory Branch Post Office Box 3755 Seattle, Washington 98124-3755 Telephone (206) 764-3495 ATTN: John Pell, Project Manager

Public Notice Date: April 29, 2005 Expiration Date: May 29, 2005 Reference: OYB-2-011187 Name: Stanwood, City of

Interested parties are hereby notified that an application has been received to modify an existing permit under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act.

APPLICANT: City of Stanwood

Public Works Department

10220 - 270th Street Northwest

ATTN: Mr. Bill Beckman Telephone: (360) 629-0868

LOCATION: The work is located in Irvine Slough, at Stanwood, Washington.

WORK: Retain a single culvert through 'Larson Dam' and install an additional pump at the Irvine Slough Pump Station.

PURPOSE: Manage flood waters in Irvine Slough.

ADDITIONAL INFORMATION: In 1990, the City of Stanwood (City) was authorized by Department of the Army permit to install an outfall, place riprap, and construct a berm (also known as Larson Dam) in Irvine Slough. The permit authorized 2 culverts through Larson Dam. Only one culvert was installed. In 2003, a local resident in the area notified the U.S. Army Corps of Engineers (Corps) that they believed this configuration has created flooding problems. The City has requested to modify the permit to a design with only one culvert and an additional pump.

MITIGATION: None proposed.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook, Oncorhynchus tshawytscha, (threatened); Puget Sound/Coastal Bull Trout, Salvenlinus confluentus (threatened); Bald Eagle, Haliaeetus leucocephalus (threatened), in the state of Washington, may occur in the proposed project area. For Puget Sound Chinook and Puget Sound/Coastal bull trout, critical habitat has been designated. After receipt of comments, the Corps will evaluate potential impacts to these species and their critical habitat.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of

or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit modification will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

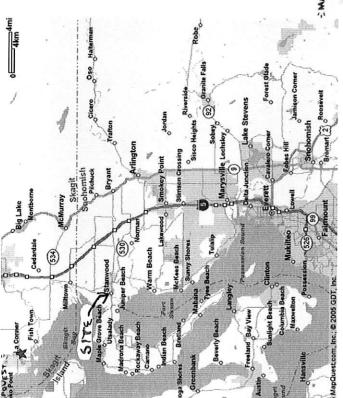
The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

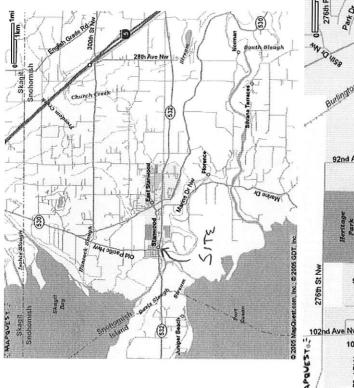
<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit, being processed by the City of Stanwood.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to John .L.Pell@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Encl Drawings (3) Stanwood, City of, OYB-2-011187





Applicant: Stanwood, City of Purpose: Manage Flood Waters

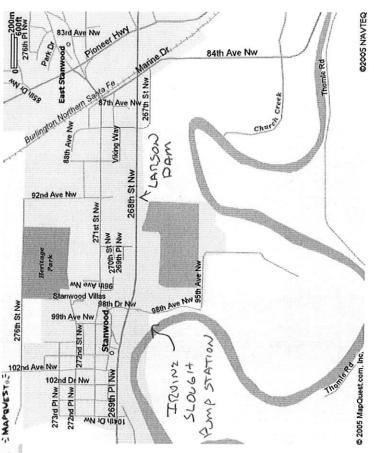
In: Irvine Slough Date: 26 April 2005

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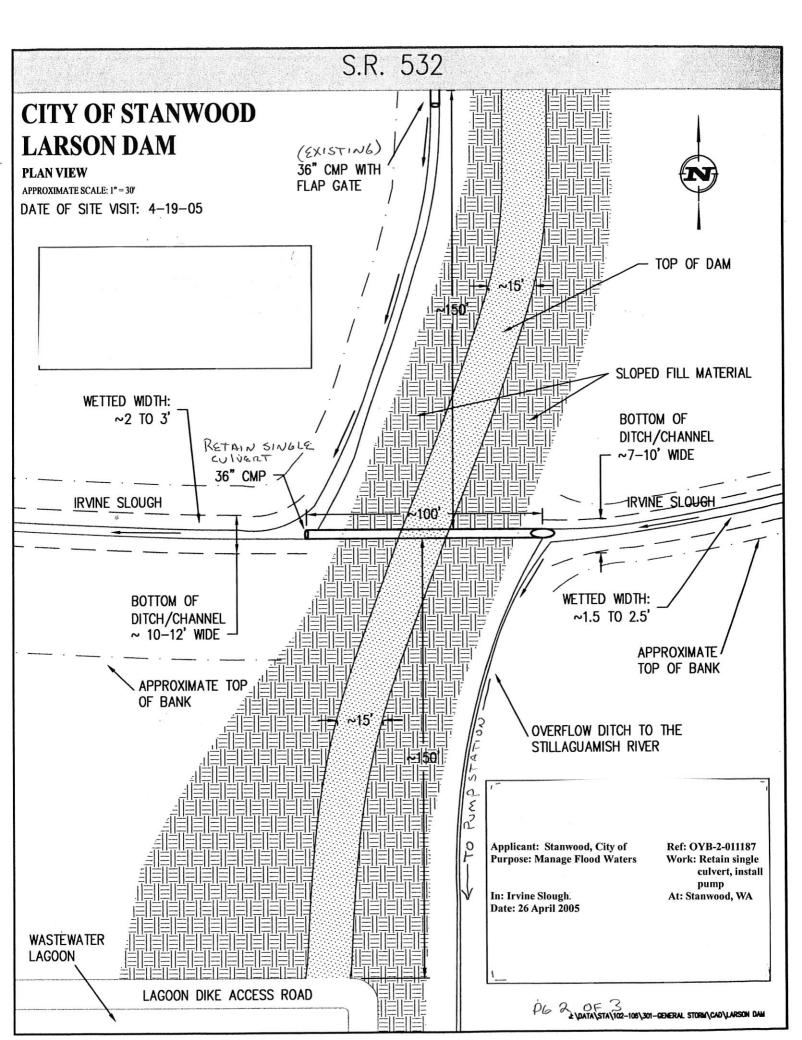
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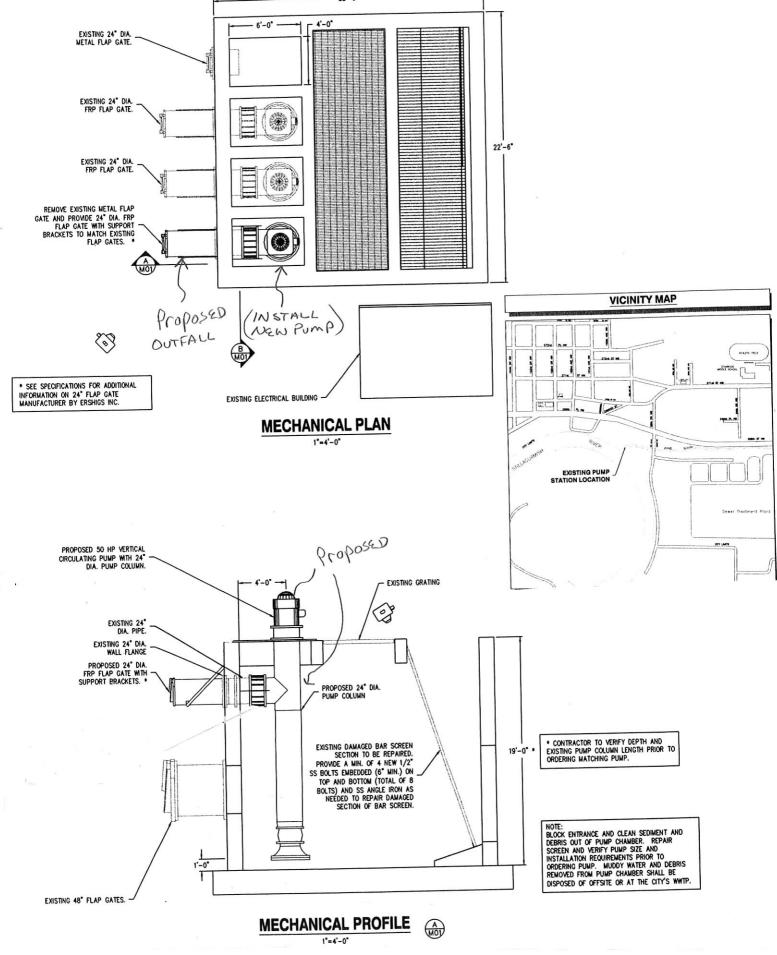
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Work: Retain single culvert, install pump At: Stanwood, Washington



PS 10F3





Applicant: Stanwood, City of Purpose: Manage Flood Waters

In: Irvine Slough Date: 26 April 2005 Ref: OYB-2-011187 Work: Retain single culvert, install pump At: Stanwood, WA

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STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: April 28, 2005

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. <u>OYB-2-01187</u> will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600